

terminates automatically 4 years after the date of the loan note; a loan with a 4-year loan period terminates automatically 5 years after the date of the loan note. The Administrator may extend the fund advance period on any loan if the borrower meets the requirements of paragraph (c) of this section. As defined in 7 CFR 1710.2, the loan period begins on the date shown on page 1 of RUS Form 740c submitted with the loan application.

(b) For loans approved on or after June 1, 1984, and before February 21, 1995, the fund advance period begins on the date of the loan contract, or the most recent amendment thereto, and terminates automatically 4 years from the date of the loan contract, or the most recent amendment thereto, except as provided in paragraph (c) of this section.

(c) The Administrator may agree to an extension of the fund advance period for loans approved on or after June 1, 1984, if the borrower demonstrates to the satisfaction of the Administrator that the loan funds continue to be needed for approved loan purposes (i.e., facilities included in an RUS-approved construction work plan).

(1) To apply for an extension, the borrower must send to RUS, at least 120 days before the automatic termination date, the following:

(i) A certified copy of a board resolution requesting an extension of the Government's obligation to advance loan funds;

(ii) Evidence that the unadvanced loan funds continue to be needed for approved loan purposes; and

(iii) Notice of the estimated date for completion of construction.

(2) In the case of financial hardship, as determined by the Administrator, RUS may agree to an extension of the fund advance period even though the borrower has failed to meet the 120-day requirement of paragraph (c)(1) of this section.

(3) If the Administrator approves a request for an extension, RUS will notify the borrower in writing of the extension and the terms and conditions thereof. An extension will be effective only if it is obtained in writing prior to the automatic termination date.

(d) Advances of funds from loans approved before June 1, 1984, are generally made during the first 6 years of the note.

(e) RUS will rescind the balance of any loan funds not advanced to a borrower as of the final date approved for advancing funds.

§ 1714.57 Sequence of advances.

(a) Except as set forth in paragraph (b) of this section, concurrent loan funds will be advanced in the following order:

(1) 50 percent of the RUS insured loan funds;

(2) 100 percent of the supplemental loan funds;

(3) The remaining amount of the RUS insured loan funds.

(b) At the borrower's request and with RUS approval, all or part of the supplemental loan funds may be advanced before funds in paragraph (a)(1) of this section.

§ 1714.58 Amortization of principal.

(a) For insured loans approved on or after February 21, 1995:

(1) Amortization of funds advanced during the first 2 years after the date of the note shall begin no later than 2 years from the date of the note. Except as set forth in paragraph (a)(2) of this section, amortization of funds advanced 2 years or more after the date of the note shall begin with the scheduled loan payment billed in the month following the month of the advance.

(2) For advances made 2 years or more after the date of the note, the Administrator may authorize deferral of amortization of principal for a period of up to 2 years from the date of the advance if the Administrator determines that failure to authorize such deferral would adversely affect either the Government's financial interest or the achievement of the purposes of the RE Act.

(b) For insured loans approved before February 21, 1995, amortization of principal shall begin 2 years after the date of the note for advances made during the first and second years of the loan, and 4 years after the date of the note for advances made during the third and fourth years.

§ 1714.59 Rescission of loans.

(a) A borrower may request rescission of a loan with respect to any funds unadvanced by submitting a certified copy of a resolution by the borrower's board of directors.

(b) RUS may rescind loans pursuant to 1714.56.

(c) Borrowers who prepay RUS loans at a discounted present value pursuant to 7 CFR part 1786, subpart F, are required to rescind the unadvanced balance of all outstanding electric notes pursuant to 7 CFR 1786.158(j).

PART 1717—POST-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS

16. The authority citation for part 1717 continues to read as follows:

Authority: 7 U.S.C. 901-950b; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*), unless otherwise noted.

§§ 1717.856 and 1717.860 [Amended]

17. Part 1717 is amended by removing and reserving §§ 1717.856(d) and 1717.860(e).

PART 1719—[REMOVED]

18. Part 1719 is removed.

PART 1785—LOAN ACCOUNT COMPUTATIONS, PROCEDURES AND POLICIES FOR ELECTRIC AND TELEPHONE BORROWERS

19. The authority citation for part 1785 continues to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Title 1, Subtitle D, sec. 1403, Omnibus Budget Reconciliation Act of 1987, Pub. L. 100-203, 101 Stat. 1330; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

Subpart A [Removed and Reserved]

20. Subpart A of part 1785 is removed and reserved.

Dated: January 9, 1995.

Bob J. Nash,

Under Secretary, Rural Economic and Community Development.

[FR Doc. 95-1051 Filed 1-18-95; 8:45 am]

BILLING CODE 3410-15-P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 32

RIN 3150-AF26

Requirement to Report Transfers of Devices to Generally Licensed Persons

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations governing the reporting of transfers of devices to generally licensed persons. The amendments relieve initial distributors of the devices from their requirement to provide copies of the transfer reports to each appropriate NRC Regional Office. Because the reports are already sent to NRC Headquarters, it is not necessary for each Regional office to receive copies. These amendments would reduce the administrative burden on the initial distributors.

EFFECTIVE DATE: December 31, 1994.

FOR FURTHER INFORMATION CONTACT: John W. Lubinski, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-7868.

SUPPLEMENTARY INFORMATION:

Background

Each person licensed to initially transfer devices to persons generally licensed under 10 CFR 31.5 or 31.7 is required, in part, to send a report of all transfers of devices to generally licensed persons to the Director, Office of Nuclear Material Safety and Safeguards (NMSS), with a copy of the report to each appropriate Regional Office. The reports are required to either be submitted on a quarterly basis in accordance with 10 CFR 32.52 or on annual basis in accordance with 10 CFR 32.56. The general licensees are not required to report receipt of the devices. Therefore, the reports from the distributors are the only notification to NRC concerning who is using byproduct material under the general license. The information is required to be submitted so that NRC is aware of the identity of all persons using byproduct material under a general license.

Discussion

NMSS is maintaining a computerized database at NRC Headquarters which contains the information provided in the transfer reports submitted in accordance with 10 CFR 32.52 and 32.56. The database allows the NRC staff to query specific information about the general licensees and the devices they possess and to print standard and custom reports. Information from the database allows the NRC staff to locate information without sifting through each report submitted by the distributors. The information in the database is available to all NRC personnel who request it from the database administrator.

Specific information from the reports required by 10 CFR 32.52 or 32.56 is more useful to NRC Regional staff because it is generated from the computerized database. Therefore, it is not necessary for vendors to provide copies of the reports to the Regional Offices. It is only necessary for the initial distributor to continue to provide the reports to NRC Headquarters through the Director, NMSS.

Changes in the Regulations

Paragraph (a), under 10 CFR 32.52 "Same: Material transfer reports and records," and 10 CFR 32.56 "Same:

Material transfer reports," require, in part, that the initial distributors of generally licensed devices provide copies of the reports of transfer to general licensees to each appropriate NRC Regional Office. This regulation is being amended to remove this requirement. The distributors will only be required to submit copies to the Director, NMSS.

These amendments are exempt from the notice and comment requirements of section 553 of the Administrative Procedure Act (APA). The general rulemaking provision of the APA, § 553(b)(A), permits an agency to issue procedural rules without prior notice since such rules do not alter any person's substantive rights. These amendments fall within the exemption provided by the APA because they address the administrative procedures used by the NRC to process reports received pursuant to 10 CFR 32.52 and 32.56 and will not affect the public health and safety.

Waiver of Administrative Procedure Act Requirements

Because these amendments deal with agency practice and procedure, the notice and comment provisions of the APA do not apply pursuant to 5 U.S.C. 553(b)(A). Good cause exists to dispense with the usual 30-day delay in the effective date because the amendments address the administrative procedures used by the NRC to process reports received from licensees. The change provides for a decrease in the number of reports the distributors must submit and will not affect public health and safety.

Compatibility of Agreement State Regulations

10 CFR 32.52 and 32.56 are currently designated Division II matters of compatibility for Agreement State regulations. The revisions addressed in this rule deal solely with a reduction in the administrative burden on those licensees (initial distributors) required to send reports to the NRC for the transfer of devices for use by persons generally licensed under 10 CFR 31.5 or 31.7. The rule does not affect the current compatibility designations and therefore, 10 CFR 32.52 and 32.56 continue to be designated as Division II matters of compatibility.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(3)(iii). Therefore, neither an environmental impact statement nor an

environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule amends the information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget, approval number 3150-0001.

The public reporting burden will be reduced as a result of this rule change. It is estimated that the average annual reduction in burden to each licensee distributing devices in accordance with 10 CFR 32.52 will be 1.2 hours per year. This represents a reduction in the time needed to copy and mail reports. The average annual reduction in burden to each licensee distributing devices in accordance with 10 CFR 32.56 will be negligible. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for further reducing this burden, to the Information and Records Management Branch (T6F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0001), Office of Management and Budget, Washington, DC 20503.

Regulatory Analysis

The NRC has not prepared a regulatory analysis for this final regulation since the change is only administrative in nature and represents a reduction in burden to all affected licensees.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this final rule and, therefore, a backfit analysis is not required because these amendments do not involve any provisions that would impose backfits as defined in 10 CFR 50.109(a)(1).

List of Subjects in 10 CFR Part 32

Byproduct material, Criminal penalties, Labeling, Nuclear materials, Radiation protection, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR Part 32.

**PART 32—SPECIFIC DOMESTIC
LICENSES TO MANUFACTURE OR
TRANSFER CERTAIN ITEMS
CONTAINING BYPRODUCT MATERIAL**

1. The authority citation for 10 CFR Part 32 continues to read as follows:

Authority: Secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended (42 U.S.C. 2111, 2201, 2232, 2233); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

2. In § 32.52, paragraph (a) is revised to read as follows:

§ 32.52 Same: Material transfer reports and records.

* * * * *

(a) Report to the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, all transfers of such devices to persons for use under the general license in § 31.5 of this chapter. Such reports must identify each general licensee by name and address, and individual by name and/or position who may constitute a point of contact between the Commission and the general licensee, the type of device transferred, and the quantity and type of byproduct material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report must include identification of each intermediate person by name, address, contact, and relationship to the intended user. If no transfers have been made to persons generally licensed under § 31.5 of this chapter during the reporting period, the report must so indicate. The report must cover each calendar quarter and must be filed within 30 days thereafter.

* * * * *

3. Section 32.56 is revised to read as follows:

§ 32.56 Same: Material transfer reports.

Each person licensed under § 32.53 shall file an annual report with the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, which must state the total quantity of tritium or promethium-147 transferred to persons generally licensed under § 31.7 of this chapter. The report must identify each general licensee by name, state the kinds and numbers of luminous devices transferred, and specify the quantity of tritium or promethium-147 in each kind of device. Each report must cover the year ending June 30 and must be filed within thirty (30) days thereafter.

* * * * *

Dated at Rockville, Maryland, this 5th day of January 1995.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 95-1270 Filed 1-18-95; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94-NM-235-AD; Amendment 39-9122; AD 94-22-10 R1]

Airworthiness Directives; De Havilland Model DHC-8-100 and DHC-8-300 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to certain De Havilland Model DHC-8-100 and DHC-8-300 series airplanes, that currently requires a revision to the Airplane Flight Manual (AFM) to advise flight crew members that certain cockpit indications may reveal faulty anti-collision strobe light units, and to provide procedures for subsequent flight crew and maintenance action. That AD also requires a modification that eliminates the need for the AFM revision. That AD was prompted by reports that the function of the proximity switch electronics unit (PSEU) may be adversely affected during operation of the white anti-collision lights. The actions specified by that AD are intended to ensure correct operation of the PSEU and its associated systems. This amendment revises the applicability of the existing AD to add one model of affected airplanes.

DATES: Effective February 3, 1995.

The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of December 15, 1994 (59 FR 58765, November 15, 1994).

Comments for inclusion in the Rules Docket must be received on or before March 20, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-235-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from De

Havilland, Inc., Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 181 South Franklin Avenue, Room 202, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Michele Maurer, Aerospace Engineer, Systems and Equipment Branch, ANE-173, New York Aircraft Certification Office, FAA, Engine and Propeller Directorate, 181 South Franklin Avenue, Room 202, Valley Stream, New York 11581; telephone (516) 791-6427; fax (516) 791-9024.

SUPPLEMENTARY INFORMATION: On October 26, 1994, the FAA issued AD 94-22-10, amendment 39-9060 (59 FR 58765, November 15, 1994), which is applicable to certain De Havilland Model DHC-8-100 and -300 series airplanes. That action requires a revision to the FAA-approved Airplane Flight Manual (AFM) to advise the flight crew that certain cockpit indications may reveal faulty anti-collision strobe light units, and to provide procedures for subsequent flight crew and maintenance action. It also requires the installation of a modification that eliminates the need for the AFM revision.

That action was prompted by reports indicating that the electrical power supplies of the white anti-collision lights may develop a fault that produces greater than normal electrical emissions. The cause of this fault has been attributed to a capacitor failure in some "Grimes" strobe light systems. This electromagnetic interference can adversely affect the operation of the proximity switch electronics unit (PSEU) and its associated systems. Incorrect operation of the PSEU and its associated systems may interfere with or distract the flight crew in carrying out its regular duties during flight or on the ground, and thus serve to compromise the safe operation of the airplane. The requirements of AD 94-22-10 are intended to ensure the correct operation of the PSEU and its associated systems.

The AFM revision that is required by AD 94-22-01 is intended to advise the flight crew of the fact that the electrical power supplies for the white anti-collision lights may fail and cause various abnormal indications, such as: